



# NRC Commission Briefing

May 15, 2006

Jared W. Thompson, Past-Chair  
Organization of Agreement  
States

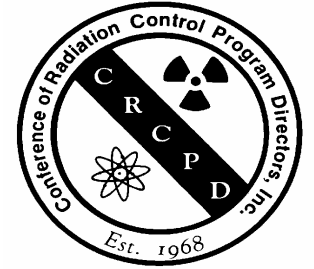
Pearce O'Kelley, Chair  
Conference of Radiation Control  
Program Directors



# NARM Rulemaking

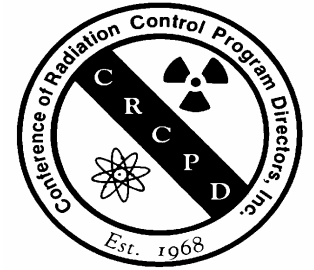


- Compatibility designation for definition of “byproduct material”
  - States have regulated NARM for over 40 years
  - Management Directive 5.9 specifically addresses the use of the term “radioactive material” in lieu of “byproduct material”



# NARM Rulemaking

- 33 of 34 Agreement States support a Compatibility Category "D" designation
- 26 of 34 Agreement States are concerned they may have to seek legislative changes to amend the definition of "byproduct material"
- 34 of 34 Agreement States already regulate NARM in a manner consistent and compatible with other byproduct material

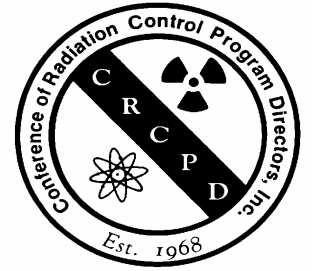


# NARM Rulemaking

- Congress directed:
  - “The Commission...to the maximum extent practicable—  
(i) cooperate with the States;  
and (ii) use model State standards in existence on the date of enactment of this Act



Organization of Agreement States

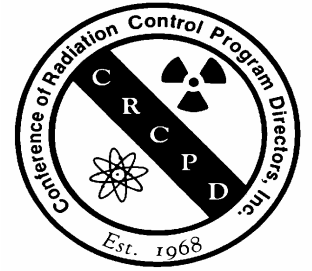


# NARM Rulemaking

- To this end, the Compatibility Category for this and other definitions arising from the EPAct should be a "D".



# NARM Rulemaking



- As an alternative, the Statements of Consideration should acknowledge that certification by the Governor that the State has an adequate NARM program which should preclude definitional changes



# Sections 656 and 652

- Support NRC staff recommendation –
  - Section 656 – Implement via Order to high-risk and high-priority licensees to meet deadline
  - Section 652 and 656 – Proceed in parallel to address imports, exports and domestic transfers/access comprehensively